

#5
8/14/02
RECEIVED

JUL 15 2002

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Herron et al.

Serial No.: 10/008,339

Filed: November 13, 2001

For: APPARATUS AND METHODS FOR
MULTI-ANALYTE HOMOGENEOUS
FLUORO-IMMUNOASSAYS

Examiner: Unknown

Group Art Unit: Unknown

Attorney Docket No.: 2424.4US



CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail (under 37 C.F.R. § 1.8(a)) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

July 3, 2002
Date of Deposit

Signature of registered practitioner or other person
having reasonable basis to expect mailing to occur
on date of deposit shown pursuant to 37 C.F.R. §
1.8(a)(1)(ii)

Deidra Pfeil
Typed/printed name of person whose signature is
contained above

PRELIMINARY AMENDMENT

Box Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination of the above-referenced patent application on the merits, entry of the amendments as set forth herein is respectfully solicited.

IN THE SPECIFICATION:

Pursuant to 37 C.F.R. §§ 1.121 and 1.125 (as amended to date) please enter the substitute specification in clean form and including paragraph numbers [0001] through [00165] and Abstract attached hereto as Appendix A. A marked-up substitute specification to clearly identify amendments to the specification as required by 37 C.F.R. § 1.121(b)(3)(iii) is attached hereto as Appendix B. It is respectfully submitted that the substitute specification does not introduce new matter into the above-referenced patent application.

IN THE CLAIMS:

Claims 1, 14, 19, 30 and 32-35 have been amended herein. All of the pending claims 1 through 35 are presented, pursuant to 37 C.F.R. §§ 1.121(c)(1)(i) and 1.121(c)(3), in clean form in Appendix C attached hereto. Please enter these claims as amended. Also attached as Appendix D is a marked-up version of the claims amended herein pursuant to 37 C.F.R. § 1.121(c)(1)(ii).

IN THE DRAWINGS:

Accompanying this Preliminary Amendment is a Letter to the Chief Draftsman submitting proposed revisions to FIGS. 2, 3A, 4A, 4B, 5A and 19. Approval of the revised figures is respectfully requested. Also enclosed is a Transmittal of Formal Drawings with formal drawings revised as proposed.